

REMARKS

This paper is filed in response to the Office action mailed on March 23, 2009. The Office action asserts a restriction requirement alleging that the claims are directed to two patentably distinct inventions, namely: Invention I, including claims 1-9, "drawn to multi-zone heat exchanger apparatus with voting scheme"; and Invention II, including claims 10-14, "drawn to a process of controlling a multi-zone system for predetermined periods of time."

In response, applicant hereby selects Invention I without traverse. Invention I includes original claims 1-9 and new claims 15-22. New claims 15-22 recite a hydronic system including a hydronic controller as specified in independent claim 1. Accordingly, claims 1-9 and 15-22 are related as sub-combination and combination, respectively. Furthermore, independent claim 15 includes each of the elements recited in independent claim 1, and therefore claims 1-9 and 15-22 are properly considered in the same application.

Additionally, applicant notes that several amendments have been made to original claims 1-9. These amendments address antecedent basis and other informal errors in the claims. Consideration and entry of these amendments are respectfully requested.

Finally, applicant notes an apparent error appearing on the cover page of the Office action. Specifically, the cover page asserts that the filing date of the application is November 17, 2005. This date is incorrect, as the present application was filed on December 27, 1999. Consideration and correction of the filing date are respectfully requested.

CONCLUSION

It is submitted that the present application is in good and proper form for allowance. A favorable action on the part of the Examiner is respectfully solicited.

If, in the opinion of the Examiner, a telephone conference would expedite prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

The Patent Office is hereby authorized to credit any overpayment or charge any deficiency in the fees filed, asserted to be filed, or which should have been filed herewith to our Deposit Account No. 50-3629.

Respectfully submitted,
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